



## Ohio Revised Code

### Section 1303.01 Definitions - UCC 3-103.

Effective: April 6, 2017

Legislation: House Bill 463 - 131st General Assembly

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(A) As used in this chapter, unless the context otherwise requires:

- (1) "Acceptor" means a drawee who has accepted a draft.
- (2) "Consumer account" means an account established by an individual primarily for personal, family, or household purposes.
- (3) "Consumer transaction" means a transaction in which an individual incurs an obligation primarily for personal, family, or household purposes.
- (4) "Drawee" means a person ordered in a draft to make payment.
- (5) "Drawer" means a person who signs or is identified in a draft as a person ordering payment.
- (6) "Good faith" has the same meaning as in section 1301.201 of the Revised Code.
- (7) "Issue" means the first delivery of an instrument by the maker or drawer to a holder or nonholder for the purpose of giving rights of the instrument to any person.
- (8) "Issuer" means a maker or drawer of an issued or unissued instrument.
- (9) "Maker" means a person who signs or is identified in a note as a person undertaking to pay.
- (10) "Order" means a written instruction to pay money signed by the person giving the instruction. The instruction may be addressed to any person, including the person giving the instruction, or to one or more persons jointly or in the alternative but not in succession. "Order" does not mean an authorization to pay unless the person authorized to pay also is instructed to pay.



(11) "Ordinary care" in the case of a person engaged in business means observance of the reasonable commercial standards that are prevailing in the area in which the person is located with respect to the business in which the person is engaged. In the case of a bank that takes an instrument for processing for collection or payment by automated means, reasonable commercial standards do not require the bank to examine the instrument if the failure to examine does not violate the bank's prescribed procedures, and the bank's procedures do not vary unreasonably from general banking usage not disapproved by this chapter or Chapter 1304. of the Revised Code.

(12) "Party" means a party to an instrument.

(13) "Principal obligor," with respect to an instrument, means the accommodated party or any other party to the instrument against whom a secondary obligor has recourse under this chapter.

(14) "Promise" means a written undertaking to pay money that is signed by the person undertaking to pay. "Promise" does not include an acknowledgment of an obligation by the obligor unless the obligor also undertakes to pay the obligation.

(15) "Prove," with respect to a fact, means to meet the burden of establishing the fact.

(16) "Remitter" means a person who purchases an instrument from its issuer if the instrument is payable to an identified person other than the purchaser.

(17) "Remotely-created consumer item" means an item drawn on a consumer account, which is not created by the payor bank and does not bear a handwritten signature purporting to be the signature of the drawer.

(18) "Secondary obligor," with respect to an instrument, means any of the following:

(a) An indorser or an accommodation party;

(b) A drawer having the obligation described in division (D) of section 1303.54 of the Revised Code;

(c) Any other party to the instrument that has recourse against another party to the instrument



pursuant to division (B) of section 1303.14 of the Revised Code.

(B) As used in this chapter:

(1) "Acceptance" has the same meaning as in section 1303.46 of the Revised Code.

(2) "Accommodation party" and "accommodated party" have the same meanings as in section 1303.59 of the Revised Code.

(3) "Account" has the same meaning as in section 1304.01 of the Revised Code.

(4) "Alteration" has the same meaning as in section 1303.50 of the Revised Code.

(5) "Anomalous indorsement," "blank indorsement," and "special indorsement" have the same meanings as in section 1303.25 of the Revised Code.

(6) "Certificate of deposit," "cashier's check," "check," "draft," "instrument," "negotiable instrument," "note," "teller's check," and "traveler's check" have the same meanings as in section 1303.03 of the Revised Code.

(7) "Certified check" has the same meaning as in section 1303.46 of the Revised Code.

(8) "Consideration" and "value" have the same meanings as in section 1303.33 of the Revised Code.

(9) "Holder in due course" has the same meaning as in section 1303.32 of the Revised Code.

(10) "Incomplete instrument" has the same meaning as in section 1303.11 of the Revised Code.

(11) "Indorsement" and "indorser" have the same meanings as in section 1303.24 of the Revised Code.

(12) "Negotiation" has the same meaning as in section 1303.21 of the Revised Code.



(13) "Payable at a definite time" and "payable on demand" have the same meanings as in section 1303.07 of the Revised Code.

(14) "Payable to bearer" and "payable to order" have the same meanings as in section 1303.10 of the Revised Code.

(15) "Payment" has the same meaning as in section 1303.67 of the Revised Code.

(16) "Person entitled to enforce" has the same meaning as in section 1303.31 of the Revised Code.

(17) "Presentment" has the same meaning as in section 1303.61 of the Revised Code.

(18) "Reacquisition" has the same meaning as in section 1303.27 of the Revised Code.

(19) "Transfer of instrument" has the same meaning as in section 1303.22 of the Revised Code.

(C) As used in this chapter, "banking day," "clearing house," "collecting bank," "customer," "depository bank," "documentary draft," "intermediary bank," "item," "midnight deadline," "payor bank," and "suspends payments" have the same meanings as in section 1304.01 of the Revised Code.

(D) In addition, Chapter 1301. of the Revised Code contains general definitions and general principles of construction and interpretation applicable throughout this chapter.